



January 10, 2020

VIA CM-ECF

Honorable Paul A. Crotty  
United States District Court  
Southern District of New York  
500 Pearl Street, Chamber 1350  
New York, NY 10007

1/28/2020  
*Permission granted*  
*As ordered*  
*Paul A. Crotty*

RE: *In re: Zimmer M/L Taper Hip Prosthesis or M/L Taper Hip Prosthesis with Kinectiv Technology and VerSys Femoral Head Products Liability Litigation* 03105  
Case Numbers: 18-MD-2859 (PAC); 18-MC-2859 (PAC)

Dear Judge Crotty:

In connection with Plaintiffs' Letter Motion to Compel (Dkt. No. 206), Plaintiffs have cited to two deposition transcript of defense witness Kevin Escapule, which Defendants marked confidential. As filed today on ECF, the depositions have been redacted. Plaintiffs respectfully request permission to file under seal unredacted copies of the following filings:

1. Exhibit A, Excerpts from the Deposition of Kevin Escapule taken on March 2, 2018
2. Exhibit B, Excerpts from the Deposition of Kevin Escapule taken on January 4, 2018

Plaintiffs are unable to discern the bases for Zimmer's assertions of confidentiality, but are requesting to file these documents under seal under the assumption the confidentiality designations were made in good faith. The parties making the designations are better positioned than Plaintiffs to explain their confidentiality designations, if the Court has any questions about the bases for them. The chambers copy mailed to the Court will include unredacted copies of the above filings, as well as the redacted filings that are filed on ECF.